

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT MORRIS,

Plaintiff,

vs.

AMERICAN RELIABLE INSURANCE
CO., *et al.*,

Defendants.

Case No. 2:14-cv-01998-GMN-CWH

ORDER

This matter is before the Court on the parties' joint response (doc. # 27) to this Court's order to show cause (doc. # 26).

On March 9, 2015, the Court issued an order directing the parties to file a stipulated discovery plan and scheduling order, no later than March 23, 2015, that complies with this Court's local rules. See Doc. # 23. Thereafter, the parties filed a stipulation to stay discovery, which this Court denied. See Doc. # 23; Doc. # 24. Nothing was filed on the record since that time. As such, the Court issued an order to show cause, on March 25, 2015, directing the parties to show cause why they should not be held in contempt for failing to comply with the Court's March 9th order. See Doc. # 26.

In response to the order to show cause, the parties contend they had a "good faith" belief that they fully complied with the Court's March 9th order with their submission of the stipulation to stay discovery, even after it was denied by this Court. See Doc. # 27. Believing such, the parties contend they took no further action. Id. Having been made aware of their erroneous assumption, however, the parties now submit the instant response (id.), along with a stipulated discovery plan

1 and scheduling order (doc. # 28), and stipulated protective order (doc. # 29). Because the parties
2 did not wilfully or consciously disregard the Court's March 9th order, they ask the Court to excuse
3 their oversight, not hold them in contempt, and vacate the order to show cause hearing set on
4 April 27, 2015.¹

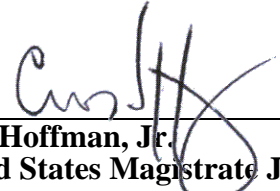
5 After a careful review of the parties' joint response, along with the other documents
6 submitted to this Court for review, the Court finds that no sanctions are warranted at this time. The
7 parties promptly responded to this Court's order to show cause, and explained that their failure to
8 comply was due to a good faith belief they had fully complied with the Court's March 9th order.

9 Accordingly, **IT IS HEREBY ORDERED** that sanctions, including monetary sanctions and
10 a recommendation for civil contempt, shall not be imposed on the parties at this time.

11 **IT IS FURTHER ORDERED** that the order to show cause hearing set on April 30, 2015
12 is **vacated**.

13 DATED: April 6, 2015

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C.W. Hoffman, Jr.
United States Magistrate Judge

¹ The Court notes it inadvertently stated in its order that April 27, 2015 is the order to show cause hearing date when it should be April 30, 2015.